

Name:

Enrolment No:



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**

**Online End Semester Examination, December 2021**

**Course: Professional Ethics, Accountancy for Lawyers and Bar Bench relation**

**Semester: X**

**Program: B.A.LL.B(Hons.)(Energy Law)/B.B.A.LL.B(Hons)(Corporate laws)/(BFIT/ITIL)**

**Time: 03 hrs.**

**Course Code: LLBL531**

**Max. Marks: 100**

**Instructions: All questions are mandatory.**

**SECTION-A**

**TYPE YOUR ANSWER**

S. No.	Answer the following questions by choosing the correct option.	Marks	CO
Q 1	Disqualification of an advocate from enrollment may be done on any of the grounds except  a. Convicted of an offence of moral turpitude b. Convicted of an offense under Untouchability Act c. Convicted under Consumer Protection Act d. Dismissed or removed from employment on charges of moral turpitude	5	CO1
Q2	Right of an advocate to practice is provided under  a. Sec 17 b. Sec 4 c. Sec 30 d. Sec 37	5	CO2
Q3	The seven lamps of advocacy do not include  a. Honesty b. Tact c. Wit	5	CO1

	d. Fellowship		
Q4	<p>An essential qualification to be enrolled as an Advocate does not include-</p> <ol style="list-style-type: none"> <li>Indian citizenship</li> <li>21 years of age</li> <li>Law degree</li> <li>55% passing marks in law college/university</li> </ol>	5	CO2
Q5	<p>Which other rights are available to an advocate in addition to the right of practise-</p> <ol style="list-style-type: none"> <li>Right to Freedom of Speech and Expression</li> <li>Right to fee</li> <li>Right to enter bar</li> </ol> <ol style="list-style-type: none"> <li>Only 1</li> <li>Only 1&amp;3</li> <li>All</li> <li>Only 2&amp;3</li> </ol>	5	CO2
Q6	<p>Which statement is/are correct about Contempt of Courts Act,1971-</p> <ol style="list-style-type: none"> <li>It divides contempt into three subcategories</li> <li>'Civil Contempt' is 'wilful disobedience to any judgement, decree, direction..'</li> <li>'Criminal Contempt' is 'the publication of any matter which Scandalises or tends to scandalize, or lowers or tends to lower the authoirity of any court'</li> </ol> <ol style="list-style-type: none"> <li>Only 1</li> <li>Only 1 &amp; 2</li> <li>All of the above</li> <li>Only 2 and 3</li> </ol>	5	CO2
<p><b>SECTION B</b> <b>Scan &amp; Upload</b></p>			

Q7	What is professional misconduct within the meaning of Section 35 of the Advocates Act, 1961? Explain the punishment for misconduct with relevant provisions in the Advocates Act and case laws.	10	CO2
Q8	Advocates are the tools to reach to the ends of justice which is essentially carried out of the bench. In light of this statement examine the role of a judge and the need for him to be professionally ethical while dispensing justice.	10	CO1
Q9	What are the essential ingredients of a civil and criminal contempt? Explain with reference to relevant provisions.	10	CO2
Q10	The fundamental aim of legal ethics is to maintain the honor and dignity of law profession, to secure a spirit of friendly co-operation between the bench and the bar in the promotion of highest standards of Justice. Explain.	10	CO1
Q11	Explain the importance of pro bono services to be provided by lawyers to the weaker and needy section of the society. Do you feel that this concept has not gained much prominence in India?	10	CO3

**SECTION-C**

**Scan & Upload**

Q12	<p>“...strike as a mean for collective bargaining is recognized only in industrial disputes... That lawyers who are officers of the Court cannot use strikes as a means to blackmail the Courts or the clients. He submitted that the call for strike by lawyers is in effect a call to breach the contract which lawyers have with their clients.... that it has already been declared by Courts that a strike is illegal... that it is now time that Courts cast responsibility on the Bar Councils and the Bar Associations to see that there is no strike and/or call for boycott... that now the Executive Committee of any Bar Council or Bar Association which calls for a strike or boycott should be held responsible by the Courts.... that the Courts must take action against the Committee members for giving such calls on the basis that they have committed contempt of court..”</p> <p>Based on the above statements answer the following-</p>		CO3,CO 4
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a. Do advocates have the right to go on strike? What are the grounds on which the same may be allowed?

**5**

b. Does going on strike amount to contempt?

**5**

c. With reference to the case of Ex Capt Harish Uppal decide the rationale of the Supreme Court in holding that lawyers have no right to go on strike.

**10**